

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-MJ-03999-Torres

FILED BY TS D.C.

Sep 19, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

UNITED STATES OF AMERICA

vs.

SETH DANIEL MURRAY,

Defendant.

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek M. Maynard)? No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
4. Did this matter involve the participation of or consultation now Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By: /s/ Hayden P. O'Byrne

Hayden P. O'Byrne
Assistant United States Attorney
Southern District of Florida
Florida Bar No. 60024
99 Northeast 4th Street
Miami, Florida 33132-2111
Telephone: (305) 961-9447
E-mail: hayden.obyrne@usdoj.gov

FD-92 (Rev. 08-09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America)

v.)

SETH DANIEL MURRAY,)

Defendant.)

Case No. 24-MJ-03999-Torres

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 18, 2024 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section

18 U.S.C. § 922(g)(1)

Offense Description

Possession of a Firearm by a Convicted Felon

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

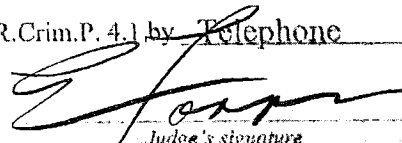
☒ Continued on the attached sheet.

Complainant's signature

ID#27411

Andrew V. Nelson, Special Agent FBI

Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by TelephoneDate: September 19, 2024

Judge's signature

City and state: Miami, Florida

Hon. Edwin G. Torres, Chief Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Andrew V. Nelson, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI"), United States Department of Justice ("DOJ") and have been assigned to the Miami Field Office since July 2017. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), in that I am empowered by law to conduct investigations of, and to make arrests for, federal offenses, including but not limited to offenses involving the manufacture, importation, receiving, concealment, buying, selling and otherwise dealing in narcotic and dangerous drugs, as enumerated in Title 21 of the United States Code; and firearms offenses, including violations of Title 18, United States Code, Sections 922 and 924. I am authorized to apply for and execute both search warrants and arrest warrants for offenses enumerated in Titles 18 and 21 of the United States Code.

2. I am currently a member of the Miami-Dade County Safe Streets and Violent Gang Task Force. As part of my professional duties and responsibilities, I have become familiar with the investigative methods and enforcement of state and federal drug laws. I have also become versed in the methodology utilized in bank fraud conspiracies, money laundering, narcotics trafficking, and firearms distribution; the specific type of language used in fraud scheme communications and firearms distribution; and the unique patterns employed by sophisticated bank fraud organizations. I have also conducted numerous physical and electronic surveillances.

3. This Affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging SETH DANIEL MURRAY ("MURRAY") with being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

4. The statements in this Affidavit come from my personal observations, my training and experience, and my review of documents and information obtained from other agents and witnesses. I have not included in this Affidavit each and every fact and circumstance known to me, but only the facts and circumstances sufficient to establish probable cause.

PROBABLE CAUSE

5. MURRAY is a convicted felon. According to the judgement in his prior criminal case, MURRAY was convicted of conspiracy to distribute narcotics and money laundering. See S.D. Fla. case no. 15-cr-20755-Moreno, DE 390.¹ In that matter, United States District Court Judge Federico Moreno sentenced MURRAY to 50 months in prison. DE 390. Therefore, at all material times MURRAY knew that he was a convicted felon.

6. In or around May of 2023, law enforcement executed state search warrants authorized by Eleventh Judicial Circuit of Florida Judges Lody Jean, Maria Elena Verde-Yanez and others related to a house in Miami Gardens, Florida, which was used to operate a vast mail theft, bank fraud, money laundering and drug distribution operation. Five people were previously indicted in relation to that investigation. See S. Dist. Fla. case no. 24-cr-20353-Damian. Based upon information developed during that investigation, law enforcement learned that MURRAY supplied narcotics and a firearm to at least one of the defendants in that case.

7. On or about September 18, 2024, law enforcement executed a search warrant at MURRAY's residence that he shared with his girlfriend and a minor child. See S. Dist. Fla. case no. 24-mj-03971-Torres. During the execution of the search warrant, law enforcement found four firearms in the master bedroom closet. Two pistols — a Ruger LCP MAX pistol, bearing serial

¹ This case dubbed the "Miami Molly Machine" was extensively featured in the Miami Herald. See e.g. <https://www.miamiherald.com/news/local/crime/article45772970.html> (last visited Sept. 18, 2024).

number 381352988 and a Canik TP9-Elite pistol, bearing serial number T6472BN12586 — were located in a pile of men's clothing. Additionally, two AR-15-type firearms were located on the side of the closet with men's clothing, along with a bag of ammunition and magazines. Law enforcement also found boxes and cases for several firearms including the Canik pistol in the closet. Separately, law enforcement searched the laundry room and found what appeared to be a bag of marijuana for sale on top of another bag of AR-15 magazines and ammunition. MURRAY's phone and wallet containing his identification cards were also found in the master bedroom.

8. MURRAY was present when law enforcement executed the search warrant. In a post-Miranda statement, he claimed that the guns belonged to his girlfriend, but he admitted that he touched them and moved them to keep them away from the minor child. MURRAY also admitted to selling marijuana and flushing it down the toilet after law enforcement knocked and announced their presence.

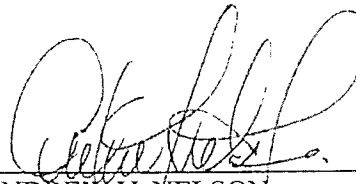
9. I conferred with Bureau of Alcohol, Tobacco, Firearms and Explosives Agent and Nexus Expert Grzegorz A. Bitner who confirmed that Canik and Ruger pistols are solely manufactured outside the State of Florida, and, thus, the pistols found in MURRAY's apartment traveled in interstate or foreign commerce. Additionally, the Canik pistol indicates that it was "Made in Turkey."

[THIS SECTION INTENTIONALLY LEFT BLANK]

CONCLUSION

10. Based on the above facts, I respectfully submit that there is probable cause to support a criminal complaint charging SETH DANIEL MURRAY with being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

FURTHER AFFIANT SAYETH NAUGHT.



ANDREW V. NELSON
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Arrested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1
by Telephone this 19th day of September 2024.



HONORABLE EDWIN G. TORRES
CHIEF UNITED STATES MAGISTRATE JUDGE